

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DANIEL BRYAN KELLY.

Plaintiff,

v.

RICKY OWENS, et al.,

Defendants.

$$\begin{pmatrix} \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \\ \cdot \end{pmatrix}$$

CIVIL ACTION NO.: 2:05-cv-1150-T

NOTICE OF INTERLOCUTORY APPEAL

COMES NOW Defendant Coosa County Sheriff Ricky Owens, and gives notice to this court and to the parties that he appeals the District Court's decision of February 1, 2008, denying in part the Defendant's Motion for Summary Judgment. The order denied, in part, qualified immunity to Defendant. The basis of this appeal is the denial of qualified immunity.

Respectfully submitted this 15th day of February, 2008.

s/Gary L. Willford, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on this the 15th day of February, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Richard J. Stockham, III, and Kristi McDonald.**

s/Gary L. Willford, Jr.

OF COUNSEL